IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

OP. No. 2808 of 2001(H)

PETITIONER:

PONNON DEVAKI,
CHAVASSERY AMSOM,
VELIYAM DESOM,
TELLICHERRY TALUK,
KANNUR DISTRICT.

BY ADV. SRI. K.V. SOHAN

RESPONDENTS:

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1. **THE TALUK LAND BOARD,**
   REPRESENTED BY ITS CHAIRMAN,
   TELLICHERRY.

2. **THE TAHSILDAR,**
   TELLICHERRY.

3. **THE VILLAGE OFFICER,**
   CHAVASSERY VILLAGE,
   TELLICHERRY TALUK,
   KANNUR DISTRICT.

BY GOVERNMENT PLEADER SRI. MANOJ.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. No. 2808 of 2001(H)

Order on C.M.P. No. 4688/2001 in O.P. No. 2808/2001

Dismissed.

21.03.2007 **sd/- KURIAN JOSEPH, JUDGE**

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE ASSIGNMENT DEED EXECUTED BY THE ORIGINAL TENANT NETTURA OTHENAN NAMBIAR IN FAVOUR OF THE PETITIONER, DT. 15.3.1974.**
EXT. P2	**:**	**COPY OF THE BASIC RECEIPT ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER, DT. 29.12.2000.**
EXT. P3	**:**	**COPY OF THE BASIC RECEIPT ISSUED BY 3RD RESPONDENT TO PETITIONER'S DAUGHTER PONNON VASANTHI, DT. 27.3.96.**
EXT. P4	**:**	**COPY OF THE PETITION SUBMITTED BY THE PETITIONER TO THE FIRST RESPONDENT, DT. 14.11.2000.**

// TRUE COPY //

P.A. TO JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 2808 OF 2001

Dated this the 21st day of March, 2007.

J U D G M E N T

This original petition is filed with the following prayers.

b) Issue a writ of mandamus or other appropriate writ or order directing the respondents not to interfere with the possession of the petitioner and her daughter with respect to the property in R.S. 121 and 123/2 of Chavassery Village in Tellicheery Taluk in the possession of the petitioner as the ceiling land liable to be surrendered by Prabhakaran Vazhunnavar.

c) Direct the first respondent not to take possession of any portion of the land in R.S. 121 and 123/2 of Chavassery Village in the direct possession of the petitioner and her daughter until an enquiry is conducted and orders are passed on Ext. P4 petition.

2. There will be a direction to the first respondent to consider Exhibit P4 petition with notice to the petitioner and any other affected parties and pass appropriate orders in accordance with law, if not already passed, within a period of four months from date of production of a copy of this judgment. Interim order passed by this Court will continue till such time.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp